

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MATTHEW L. ASHBY, individually	)	4:05CV3154
and as next friend of M. A., a minor,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
vs.	)	
	)	
MARY DYER, individually and in her	)	
official capacity, et al.,	)	
	)	
Defendants.	)	

Inasmuch as Plaintiff has filed a second amended complaint (filing 93) with leave of court,

IT IS ORDERED that:

1. Filing 25, the motion to dismiss filed by Defendant Bryant A. Whitmire is denied without prejudice, as moot.
2. Filing 40, the motion to dismiss filed by Defendant Erickson & Sederstrom, P.C., is denied without prejudice, as moot.
3. Filing 43, the motion to dismiss filed by Defendant Lifetime Adoption Facilitation, LLC, is denied without prejudice, as moot.
4. Filing 79, the motion to dismiss filed by Defendants Monica Taylor Kilmer, Douglas Eric Black, and Tammy Norris Black, is denied without prejudice, as moot.

November 7, 2005.

BY THE COURT:

*s/ Richard G. Kopf*  
United States District Judge